



Plaintiff seeks fees for 25 hours of work done by her attorneys at a rate of \$207.85 per hour and 5.6 hours for work done by a paralegal at a rate of \$100.00. The total amount of fees Plaintiff seeks is Five Thousand Seven Hundred Fifty-Six Dollars and Twenty-Five Cents (\$5,756.25). Defendant responded to Plaintiff's motion and did not oppose Plaintiff's request, although Defendant argues that the amount should be payable to Plaintiff, not her attorney.

### ***Discussion***

The Court finds the award of fees is proper in this case. Section 2412 of the Equal Access to Justice Act (EAJA) provides that a court:

shall award to a prevailing party . . . fees . . . incurred by that party in any civil action (other than cases sounding in tort), including proceedings for judicial review of agency action, brought by or against the United States in any court having jurisdiction of that action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.

28 U.S.C. § 2412(d)(1)(A). A plaintiff's attorney is entitled to fees if (1) plaintiff was the prevailing party, (2) the fees were "incurred by that party in [the] civil action" in which the party prevailed, and (3) the defendant's position was not substantially justified. *Id.* Plaintiff has met all of these requirements in the instant matter. Shalala v. Schaefer, 509 U.S. 292, 302 (1993) ("a party who wins a sentence-four remand order is a prevailing party.") The Court, therefore, will award Plaintiff fees in the amount of Five Thousand Seven Hundred Fifty-Six Dollars and Twenty-Five Cents (\$5,756.25). The award shall be made payable to Plaintiff Regina Suzanne Morris. See Astrue v. Ratliff, 560 U.S. 586, 593 (2010) ("[the statute] 'awards' the fees to the litigant").

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff Regina Suzanne Morris's motion for attorneys' fees is **GRANTED**. (ECF No. 32)

**IT IS FURTHER ORDERED** that Plaintiff is awarded attorneys' fees in the amount of Five Thousand Seven Hundred Fifty-Six Dollars and Twenty-Five Cents (\$5,756.25). The award shall be made payable to Regina Suzanne Morris.

A handwritten signature in cursive script that reads "Ronnie L. White". The signature is written in black ink and is positioned above a horizontal line.

**RONNIE L. WHITE**  
**UNITED STATES DISTRICT JUDGE**

Dated this 2nd day of June, 2022.